

WEILI

32

1 A. Liu Hui.

2 Q. How long has Liu Hui been the sales manager
3 at Feitian?

4 A. Since early this year.

5 Q. Okay. Have you asked anyone what does
6 Feitian or -- has Feitian since October of 1999 done
7 any business in California?

8 A. I don't know.

9 Q. Did you ever ask Liu Yuhong specifically
10 whether Feitian was doing any business in California?

11 A. No.

12 Q. Did you ever ask Liu Hui if Feitian has done
13 any business in California?

14 A. I ask.

15 Q. And what answer did you get?

16 A. I haven't heard from Liu Hui yet.

17 Q. Okay. If you wanted to find out if Feitian
18 did business in California, what business records does
19 Feitian have that would show you whether or not Feitian
20 does any business in California or has done any
21 business in California?

22 A. I'm not sure about their personal business.

23 Q. My question is, if you wanted -- if someone
24 wanted to find out if Feitian has done any business in

WEILI

33

1 California since October of 1999, what records does
2 Feitian have that that person could look at to find out
3 if Feitian has done any business in California since
4 October of 1999?

5 A. Personal e-mail.

6 Q. Have you asked Mr. Hui to look at personal
7 e-mails to determine if Feitian has done any business
8 in the State of Delaware since October of 1999?

9 A. Yes.

10 Q. Okay. And when you say personal e-mails,
11 describe what you mean? Whose personal e-mails?

12 A. Liu Yuhong personal e-mail.

13 Q. Anyone else?

14 A. No.

15 Q. Did Mr. Hui look at Liu Yuhong's personal
16 e-mails?

17 A. I don't know.

18 Q. If you wanted to find out -- if someone
19 wanted to find out whether Feitian did any business in
20 California since October of 1999, what records could a
21 person look at to determine that?

22 THE INTERPRETER: Ma'am, the interpreter
23 was asked to repeat.

24 THE WITNESS: Personal e-mail.

WEI LI

34

1 BY MS. O'LAUGHLIN:

2 Q. And whose personal e-mails?

3 A. Liu Yuhong.

4 Q. Did you ask anyone to look at Liu Yuhong's
5 personal e-mails to determine whether or not Feitian
6 had done any business in California since October of
7 1999?

8 A. Yes.

9 Q. And do you know if Mr. -- and who did you
10 ask?

11 A. Liu Hui.

12 Q. Okay. And Mr. Hui has not -- do you know
13 whether or not Mr. Hui has, in fact, reviewed any
14 e-mails from Liu Yuhong in response to your request?

15 A. I don't know.

16 Q. Does Yuhong translate as an Anglicized
17 version of -- is that Rachel?

18 A. I don't know.

19 Q. Okay. Was Liu Yuhong a man or woman?

20 A. Liu Yuhong is a woman.

21 Q. Okay. Was her title international sales and
22 marketing manager?

23 A. Can I take a rest?

24 Q. Yes. How much time do you need, Mr. Li?

WEI LI

35

1 A. About ten minutes.

2 Q. Okay. Before we break could you just answer
3 my last question. Was Ms. Yuhong's title international
4 sales and marketing manager?

5 A. Yes.

6 MS. O'LAUGHLIN: Okay. We'll take ten
7 minutes. Don't hang up. We'll just keep the
8 line open.

9 (At this time, a brief recess was
10 taken.)

11 BY MS. O'LAUGHLIN:

12 Q. Mr. Li, let me understand what you said
13 before we took the break. Is it your testimony that
14 the only information anywhere in Feitian concerning
15 sales to California or Delaware would be located in the
16 personal e-mails of someone who hasn't worked for
17 Feitian for about a year?

18 THE INTERPRETER: Mr. Li did not answer
19 the question.

20 BY MS. O'LAUGHLIN:

21 Q. Mr. Li, can you answer that question?

22 A. Well, other information might be in fax too.

23 Q. In?

24 A. Fax.

WEI LI

36

1 Q. Faxes. So Feitian communicates not just by
2 e-mail but by faxes as well; is that what your
3 testimony is?

4 A. And also phone.

5 Q. Okay. So have you or has anyone reviewed the
6 fax records of Feitian to determine whether or not
7 Feitian has had any communications to or from the
8 States of Delaware or California since October of 1999?

9 A. Up to now we haven't found any.

10 Q. My question was, have you asked anyone or do
11 you know if anyone has looked at all the fax records of
12 Feitian to determine whether there were any
13 communications to or from the States of Delaware or
14 California since October of 1999?

15 A. Yes.

16 Q. Where are the fax records kept?

17 A. Personal file folder.

18 Q. Personal file folders. Whose personal file
19 folders?

20 A. Liu Hui.

21 Q. The sales manager?

22 A. Yes.

23 Q. How long has the sales manager worked for
24 Feitian?

WEI LI

37

- 1 A. You already asked this question before.
- 2 Q. Okay. Could you refresh my recollection what
- 3 you answered?
- 4 A. Since early this year.
- 5 Q. Okay. So where are the fax records for
- 6 Feitian that predate early this year when the sales
- 7 manager started working for Feitian?
- 8 A. Liu Yuhong folder.
- 9 Q. Okay. So all the -- and how long did Ms. Liu
- 10 Yuhong work at Feitian?
- 11 A. I don't remember clearly.
- 12 Q. Okay. Did she work there in 1999?
- 13 A. It seems not.
- 14 Q. Did she work there in 2000?
- 15 A. No.
- 16 Q. Did she work there in 2001?
- 17 A. No.
- 18 Q. Did she work there in 2002?
- 19 A. I don't remember.
- 20 Q. Okay. What about 2004, did she work there in
- 21 2004?
- 22 A. Yes.
- 23 Q. Okay. Now, before Ms. Yuhong worked or
- 24 Ms. Yuhong worked at Feitian, where were the -- strike

WEI LI

38

1 that.

2 Are you telling me that all of Feitian's fax
3 records are located either in the personal file of Liu
4 Yuhong, the former person in the -- former
5 international sales and marketing manager or are in the
6 personal file of Liu Hui who is now the sales manager?

7 A. Yes.

8 Q. And that all Feitian's fax records from
9 October of 1999 to the present are located in one of
10 those two personal files; is that your testimony?

11 A. They take care of what they are doing.

12 Q. That doesn't answer my question, Mr. Li. My
13 question is, are all the fax records of Feitian from
14 October 1999 to the present kept either in the personal
15 file of Liu Yuhong or the personal file of Liu Hui; is
16 that your testimony?

17 A. I'm not sure.

18 Q. What about phone records, where are the phone
19 records of Feitian kept?

20 A. No, there is no phone records.

21 Q. Feitian doesn't keep records of its calls at
22 all?

23 A. Yes.

24 Q. Has Feitian ever kept records of its phone

WEILI

39

1 calls?

2 A. No.

3 Q. Does Feitian have the ability -- well, does
4 Feitian have an international phone carrier?

5 THE INTERPRETER: Ma'am, Mr. Li is
6 asking the interpreter to paraphrase.

7 MS. O'LAUGHLIN: Okay.

8 THE WITNESS: Well, there isn't any
9 specific phone carrier. It's just the public
10 phone carrier.

11 BY MS. O'LAUGHLIN:

12 Q. Okay. Does Feitian keep copies of its phone
13 bills?

14 A. No.

15 Q. Okay. Going back to the faxes, do you know
16 whether anyone has reviewed every fax that's in
17 Mr. Hui's file and every fax in Liu Yuhong's personal
18 e-mail file to determine whether or not there were any
19 faxes to or from the States of Delaware or California?

20 A. Up to now I'm not sure.

21 Q. Okay. What other business records does
22 Feitian maintain that would have any information
23 concerning sales or services made to anyone in the
24 State of Delaware or the State of California?

WEI LI

40

1 THE INTERPRETER: Ma'am, is that the end
2 of the question?

3 MS. O'LAUGHLIN: Yes.

4 THE INTERPRETER: Meaning to the State
5 of Delaware or California or only Delaware?

6 I missed that.

7 MS. O'LAUGHLIN: Will the court reporter
8 read back my question?

9 (At this time, the court reporter read
10 back the requested testimony.)

11 THE WITNESS: No.

12 BY MS. O'LAUGHLIN:

13 Q. That doesn't answer my question. No. My
14 question is, what other records does Feitian have? Is
15 your answer they don't have any?

16 A. Yes, do not have any.

17 Q. Okay. Tell me how -- describe for me what
18 would happen if I am located in California and I want
19 to buy a product of Feitian. What steps would I have
20 to take and what steps would Feitian take in that
21 transaction?

22 A. I can't answer this question.

23 Q. Why?

24 A. Now we don't respond to any inquiry from

WEILI

41

1 Delaware or California.

2 Q. Why don't you now respond to any inquiries
3 from Delaware and California?

4 A. Because now we do not have a specific
5 salesperson in charge of this.

6 Q. Okay. But at any time since 1999 if I
7 made -- if I'm in California and I try to buy a Feitian
8 product or get a service of Feitian's, describe to me
9 the steps that would be taken in that transaction?

10 A. I can't answer this hypothetical question.

11 Q. Mr. Li, it's not a hypothetical question.
12 Well, prior -- is it your testimony that because
13 Feitian doesn't have someone in charge of international
14 sales that Feitian is not attempting to make any sales
15 in the United States?

16 THE INTERPRETER: Ma'am, the interpreter
17 needs to ask Mr. Li to repeat.

18 MS. O'LAUGHLIN: Okay.

19 THE WITNESS: Well, my testimony is only
20 regarding the situation in Delaware and
21 California.

22 BY MS. O'LAUGHLIN:

23 Q. Okay. Then let me ask the question so -- and
24 you refuse to answer as to any place other than

WEI LI

42

1 Delaware or California; is that correct?

2 A. Yes.

3 Q. Okay. Is it your testimony, then, that since
4 Liu Yuhong left Feitian that Feitian has not attempted
5 to make any sales or provide any services or make any
6 offers of sales to anyone in the State of California?

7 A. I need to confirm.

8 Q. Who would you confirm with?

9 A. I need to confirm the situation now.

10 Q. And who would you confirm it with?

11 A. Liu Hui.

12 Q. I have the same question concerning Delaware.

13 Would you have the same answer?

14 A. Yes.

15 Q. Okay. Before Liu Yuhong left Feitian, did
16 Feitian make sales or offers of sales or provide any
17 services to anyone in California?

18 A. I don't know now.

19 Q. Who would know?

20 A. Liu Hui need to check it.

21 Q. How would Liu Hui check it?

22 A. Check into previous e-mail of Liu Yuhong.

23 Q. What about before Liu Yuhong worked at
24 Feitian from October of 1999 onwards, did Feitian make

WEI LI

43

1 any offers of sale or sales or provide any services to
2 anyone in California?

3 A. I'm not sure.

4 Q. Okay. Have you asked?

5 A. Yes.

6 Q. Who did you ask?

7 A. Liu Hui.

8 Q. Okay. And how would Liu Hui answer your
9 question?

10 A. Well, Liu Hui needs time to look into this
11 matter.

12 Q. Okay. And did you give Mr. Hui any direction
13 as to how he was to look into this matter?

14 A. No.

15 Q. Well, how do you expect him to look into the
16 matter unless he is given direction?

17 A. I don't know. That's his responsibility.

18 Q. Mr. Li, though, this Liu Hui, the sales
19 manager has been with Feitian for less than a year; is
20 that correct?

21 A. Yes.

22 Q. And he reports to you; is that correct?

23 A. Yes.

24 Q. Do you intend to give him any direction as to

WEI LI

44

1 how he should obtain the information that's needed to
2 answer the questions as to what business Feitian does
3 and has done since October 1999 in California?

4 A. No.

5 Q. Have you given Mr. Hui any direction as to
6 how to obtain the information necessary to answer
7 Aladdin's questions as to the business that Feitian has
8 done since October 1999 to the present in the State of
9 Delaware?

10 A. No.

11 Q. Have you had any discussions with anyone else
12 at Feitian about answering Aladdin's questions as to
13 whether or not Feitian has made offers of sale or sales
14 or provided services to anyone in Delaware or
15 California?

16 A. No.

17 Q. When Feitian sells a product, does it
18 generate any invoice concerning that sale?

19 A. Yes.

20 Q. Okay. Have you asked Mr. Hui or anyone else
21 to review any invoices prepared by Feitian to see if
22 there were any purchases of Feitian products by anyone
23 in Delaware or California?

24 A. Yes, I ask.

WEI LI

45

1 Q. Okay. Do you know if he has?

2 A. Yes, he did. He has.

3 Q. Did you ask him to look at invoices from
4 October 1999 to the present?

5 A. Yes.

6 Q. Okay. Do you know if Mr. Hui has completed
7 his review of the invoices from October 1999 to
8 present?

9 A. We only keep three month of record of the
10 invoice.

11 Q. So Feitian only has the most recent three
12 months invoices?

13 A. Yes.

14 Q. Is that company -- did Feitian ever keep
15 invoices for more than three months?

16 A. Our rule is to keep at least three months of
17 invoice, so sometimes it might be longer.

18 Q. Are the invoices kept in a central location?

19 A. No.

20 Q. Okay. Tell me how the invoices or where the
21 invoices are kept.

22 A. The sales manager keeps the invoices.

23 Q. Okay. Before Mr. Hui was the sales manager,
24 would that -- well, let me ask this way. Would that

WEI LI

46

1 be -- is Mr. Hui the sales manager and he -- it's
2 considered his job to keep the invoices; is that what
3 you're testifying?

4 A. Yes.

5 Q. Okay. Is it your testimony that if I'm a
6 long-term customer of Feitian and I purchase products
7 for five years from Feitian, that you would only --
8 Feitian only has my sales records, my invoices, for the
9 last three months?

10 A. Well, we will keep at -- we will keep at
11 least three months invoice. Sometimes it might be
12 longer.

13 Q. Did Mr. Hui, does he have all of the sales
14 invoices for all the sales that Feitian has?

15 A. No.

16 Q. Okay. Who else has the sales invoices?

17 MR. REEVES: And let me go ahead and
18 interject an objection here to the extent
19 that the invoices are coming from places
20 other than Delaware and California.

21 MS. O'LAUGHLIN: Well, how would he
22 know, Mr. Reeves, unless he looked at them?

23 MR. REEVES: Well, I mean --

21 MS. O'LAUGHLIN: I'm trying to figure

WEILI

47

1 out how Feitian, what he looked at, and how
2 Feitian keeps its business records in the
3 usual course of business.

4 MR. REEVES: I understand, and I think
5 you're entitled to that as long as we're
6 talking about how they keep business records
7 coming from Delaware and California but not
8 business records for sales that may go to
9 places like Finland or, you know, assuming
10 they have sales in Finland. So, you know, as
11 long as they are talking about, you know,
12 U.S. based California and Delaware invoices,
13 then I'll let him answer the question. But I
14 don't think he needs to answer the questions
15 for the business invoices.

16 BY MS. O'LAUGHLIN:

17 Q. Let me ask this question, Mr. Li. Does
18 Feitian segregate the invoices that are for sales and
19 purchases in the United States from its other invoices?

20 A. Well, whoever is in charge, whoever will take
21 care of the invoice, and I'm not sure about other
22 details.

23 Q. Who is that person currently? Well, have you
24 asked for details on where the invoices for U.S. sales

WEILI

48

1 are maintained?

2 A. Yes.

3 Q. And what were you told and who did you ask?

4 A. I asked Liu Hui.

5 Q. And what were you told?

6 A. He kept the invoice in his file folder.

7 Q. Is Mr. Hui responsible for all the invoices
8 for U.S. sales?

9 A. Well, this is beyond those two things so I
10 can't answer this question.

11 MS. O'LAUGHLIN: Mr. Reeves, could
12 you -- I think that this is a legitimate
13 question to try to find out what kind of
14 business records Feitian maintains. I'm only
15 asking him who maintains the business records
16 concerning U.S. sales. I haven't --

17 MR. REEVES: To the extent the question
18 just calls for who maintains them --

19 MS. O'LAUGHLIN: And how --

20 MR. REEVES: And let me talk to the
21 translator. You can translate to the extent
22 that the question is just asking for who
23 maintains the business records for sales in
24 the U.S. he can answer.

WEI LI

49

1 THE WITNESS: Liu Hui.

2 BY MS. O'LAUGHLIN:

3 Q. Before Mr. Hui who maintained them?

4 A. Liu Yuhong.

5 Q. And before Liu Yuhong?

6 A. Nobody.

7 Q. How are -- well, what records does Feitian
8 maintain concerning its U.S. sales? Could you describe
9 the records it maintains?

10 A. Do you refer to the invoices?

11 Q. Invoices among other things. What I'm trying
12 to find out is I want him to describe what kind of
13 records are maintained by Feitian in the usual course
14 of business for its U.S. sales?

15 A. E-mail, fax, and invoices.

16 Q. Anything else?

17 A. No.

18 Q. And is e-mails, fax, and invoices, are those
19 the business records that Feitian has maintained for
20 its U.S. sales since October of 1999, those kinds of
21 records?

22 A. Yes.

23 THE INTERPRETER: Mr. Li is question how
24 long do you still need to ask me questions?

WEI LI

50

1 MS. O'LAUGHLIN: It depends. At least
2 another hour or more.

3 THE WITNESS: Well, if the hour are too
4 long can we change another time?

5 MS. O'LAUGHLIN: Yes, as long as it's
6 within the next several weeks, if he's
7 available.

8 MR. REEVES: Well, let me interrupt. If
9 counsel wants to continue the deposition,
10 then we would agree to that. We would set a
11 time within the next several weeks although I
12 want to confirm that while I have a
13 translator with me that Mr. Li would be
14 available. Is that what you're saying, Mary
15 Ellen?

16 MS. O'LAUGHLIN: Well, I'm not
17 suggesting it. Mr. Li seems to be suggesting
18 it.

19 MR. REEVES: I understand. I guess,
20 one, my question is, are you agreeing to --

21 MS. O'LAUGHLIN: If he wants to end it
22 now?

23 MR. REEVES: Yes, ma'am, or in some time
24 when, you know, when he feels he needs to end

WEILI

51

1 it, I guess.

2 MS. O'LAUGHLIN: Yeah. I'm agreeable to
3 continuing it then, especially since it will
4 give him time to complete the review
5 concerning the California contacts. So when
6 he feels that he's had enough today, then we
7 can reconvene. I just don't want to push it
8 out too far.

9 MR. REEVES: What would you say within
10 the next two weeks, three weeks, or what
11 would be your time frame?

12 MS. O'LAUGHLIN: Yeah. I mean, our
13 discovery deadline is end of September. I
14 don't want to push up against that. What I'd
15 like is -- I don't want to reconvene and have
16 him tell me that he's not had time to
17 investigate as to the California contacts.

18 MR. REEVES: May I use the translator
19 then?

20 MS. O'LAUGHLIN: Yes.

21 MR. REEVES: Translator?

22 THE INTERPRETER: Yes.

23 MR. REEVES: Are you there?

24 THE INTERPRETER: Yes. Yes.

WEI LI

52

1 MR. REEVES: I would like you to tell
2 Mr. Li that we have an agreement to continue,
3 maybe use the word postpone, the deposition
4 if he can agree that he will reappear to
5 finish the deposition some time within the
6 next three weeks, and that by that time he
7 will also have had a chance to have reviewed
8 the California documents. So if he can say
9 those two things, then we would continue the
10 deposition for another date in that time
11 frame.

12 THE WITNESS: Yes, I agree.

13 MR. REEVES: Okay.

14 BY MS. O'LAUGHLIN:

15 Q. Before we end, though, could I just ask one
16 closing, one question?

17 Mr. Li, from what Mr. Hui has reviewed so
18 far, has he found or has anyone told you that they
19 found any information concerning business that Feitian
20 does in California or Delaware, does or has done?

21 A. No.

22 Q. Mr. Li, how much time do you think you need
23 to complete the investigation concerning Feitian's
24 contacts with California and Delaware so that we can

WEILI

53

1 know when we can reconvene the deposition?

2 A. Three weeks.

3 Q. Okay. Could you try -- I'd appreciate if you
4 would try to make it a shorter time period because that
5 really pushes things up against our deadline.

6 MR. REEVES: Let me just interject.

7 Could he agree to do it in two weeks?

8 Translator, would you ask him that?

9 THE WITNESS: Yeah. Sure. Yes, I
10 agree.

11 MS. O'LAUGHLIN: Okay.

12 MR. REEVES: Two weeks it is then.

13 BY MS. O'LAUGHLIN:

14 Q. I just have one other question. Is Zhao
15 Wenwang still employed at Feitian?

16 A. No, there is no such a person at --

17 Q. He was the assistant manager, the department
18 of international sales and marketing?

19 A. You mean --

20 MR. REEVES: Wenwang.

21 BY MS. O'LAUGHLIN:

22 Q. Sorry. Z-H-A-O, and then W-E-N-W-A-N-G. Am
23 I really just mispronouncing it?

24 A. Yes, there is such a person.

WEILI

54

1 Q. And he is still at Feitian?

2 A. No.

3 Q. Is there still a department of
4 international sales and marketing?

5 A. Yes.

6 Q. Who is in charge of that now?

7 A. Me.

8 MS. O'LAUGHLIN: Okay. All right.

9 Thank you. So we'll reconvene in two weeks.

10 Mr. Reeves, I guess you'll talk to your
11 client and give me exact date and time.

12 MR. REEVES: Will do it.

13 MS. O'LAUGHLIN: Okay. Take care
14 everyone.

15 (Witness excused.)

16 (Deposition concluded at 11:55 p.m.)

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WEI LI

55

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C E R T I F I C A T I O N

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I, ELISABETTA L. ANDREINI,

3

Professional Reporter and Notary Public, do
4 hereby certify that the foregoing is a true
5 and accurate transcript of the stenographic
6 notes taken by me in the aforementioned
7 matter.

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ELISABETTA L. ANDREINI

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		C	
		C 2:1 55:1,1 California 5:20,24 9:11 16:14,18,21 17:4,10,15,20 18:5 18:8,22 19:10,14,17 19:19,23 20:12,16 20:20 21:4,11,20 22:7,13,21 23:11,18 23:21 24:13,23 25:2 25:3,10,12 26:13 27:7,12,16 28:21 29:15 32:7,10,13,18 32:20,21 33:1,3,20 34:6 35:15 36:8,14 39:19,24 40:5,18 41:1,3,7,21 42:1,6 42:17 43:2 44:3,15 44:23 46:20 47:7,12 51:5,17 52:8,20,24 call 15:24 21:7 called 21:2 27:18 caller 8:8 calls 22:20 38:21 39:1	

48:18 care 38:11 47:21 54:13 carrier 39:4,9,10 case 14:11 16:12 central 45:18 certification 55:10 certify 55:4 certifying 55:13 chance 52:7 change 50:4 charge 10:5,8,14,15 10:21,22 11:2,8,16 13:6,14 30:3,6,13 41:5,13 47:20 54:6 Chase 2:8 check 42:20,21,22 checked 31:16 China 5:4 clear 7:24 19:11 clearly 10:2 11:1,22 14:14 31:8 37:11 client 54:11 closing 52:16 CO 1:8 come 20:16 comes 20:24 22:4 coming 4:3 46:19 47:7 commencing 1:17 communicates 36:1 communications 36:7 36:13 companies 22:18 23:8 company 8:21 9:9 17:19 23:20,23 24:4 24:9,13,15 25:11,16 25:20 27:18,20 28:4 28:7,8,10 45:14 complete 51:4 52:23 completed 45:6 Computer 21:16 concerning 11:13 21:11 35:14 39:23	42:12 44:18 48:16 49:8 51:5 52:19,23 concluded 54:16 conduct 21:9 conference 17:22,24 18:8,9,12,21 19:2 19:18 20:22 21:14 27:16 28:12 conferences 18:5 21:23 confirm 18:24 31:7 42:7,8,9,10 50:12 considered 46:2 constantly 31:12,16 contact 6:7 21:18 contacts 5:15,17,19 5:23,24 6:12 20:11 21:11,19,22 22:6 51:5,17 52:24 continue 50:9 52:2,9 continued 21:6 continuing 51:3 copies 39:12 correct 6:1,2 17:15 19:5,8 27:12 42:1 43:20,22 counsel 5:10 50:9 Counselor 8:22 couple 8:24 course 47:3 49:13 court 1:1,19 4:13 5:2 5:4,7,18 6:19 9:2 12:16,24 17:12 20:15 21:12 40:7,9 55:13 courtroom 7:2 currently 13:17 47:23 customer 46:6	deadline 51:13 53:5 Defendant 2:9 4:15 9:9 Defendants 1:10 Delaware 1:1 5:17,20 5:24 9:10,11 16:14 16:16 19:9 21:18 22:21 23:11,18,21 24:14,22 25:1,3,10 25:11 26:13,24 27:4 28:21 29:11,18,23 30:7,17 31:17,22 33:8 35:15 36:8,13 39:19,24 40:5,5 41:1,3,20 42:1,12 44:9,14,23 46:20 47:7,12 52:20,24 department 53:17 54:3 depends 50:1 deposition 1:4,12 5:23 6:5,9 9:14 14:4 14:17 15:14,17 16:3 19:5,13 21:5,7,9,10 50:9 52:3,5,10 53:1 54:16 describe 33:11 40:17 41:8 49:8,12 DESCRIPTION 3:13 designated 14:16 15:6 designee 6:4,11 9:8 9:14 21:10 detail 20:3 details 26:22 47:22 47:24 determine 33:7,21 34:5 36:6,12 39:18 difficult 9:6 direct 55:12 direction 43:12,16,24 44:5 discovery 5:19 20:24 26:5 51:13 discussions 44:11	distributes 23:20 distribution 25:22 26:8,16,16 distributor 24:15 distributors 22:17 DISTRICT 1:1,1 documents 15:13 20:20 26:4 52:8 doing 23:24 24:5 32:10 38:11 done 30:16 32:6,12 32:20,24 33:3,7 34:6 44:3,8 52:20 duly 6:21 during 5:22 6:5 21:13
E			
E 2:1,1 3:1,12 55:1 early 32:4 37:4,6 Eight 10:17 either 38:3,14 ELISABETTA 1:13 55:2,22 Ellen 2:3 4:9 50:15 ELLERS 1:15 2:3 employed 53:15 end 40:1 50:21,24 51:13 52:15 English 28:15 enough 51:6 entire 11:15 entitled 6:6 27:11 47:5 ERSA 1:19 especially 51:3 ESQUIRE 2:3,7 ever 25:22 26:3 27:15 27:18 28:12 32:9,12 38:24 45:14 every 18:12,15,18 39:16,17 everyone 4:6 54:14 exact 54:11 EXAMINATION 1:5 examined 6:22			

exchange 18:10	28:12,24 29:3,17,17	former 38:4,4	32:16
exchanged 31:11	29:19,21,22 30:12	found 36:9 52:18,19	hearing 4:5 9:3
excused 54:15	30:15,15 31:19,21	frame 51:11 52:11	held 18:12,15
exhibit 17:11,13	32:3,6,6,10,12,17	from 14:5,6,7 22:14	help 16:8
exhibition 17:14,20	32:19,19,24 33:2,3	27:15 28:11,18 29:1	her 6:12 34:21
17:21	33:7,19 34:5 35:14	29:3,10,14,18,22	him 6:12,16 10:2 11:1
exhibitions 18:5	35:17 36:1,6,7,12	30:7 32:16 34:14	11:22 12:15,16
exhibits 3:15	36:24 37:6,7,10,24	36:7,13 38:8,13	15:24 23:15 31:8
exist 22:6	38:13,19,21,24 39:3	39:19 40:24 41:3	43:15,24 45:3 47:13
expect 43:15	39:4,12,22 40:14,19	42:24 45:3,7 46:7	48:15 49:12 51:4,16
explain 17:17 20:3	40:20 41:7,13,14	46:19 47:7,19 52:17	53:8
25:18	42:4,4,15,16,24,24	front 9:20	Honor 7:13 8:7
extent 22:19 23:10	43:19 44:2,7,12,13	fully 21:9	hour 50:2,3
24:24 25:2 28:20	44:17,21,22 45:11	<hr/> G	Houston 2:9 4:15
46:18 48:17,21	45:14 46:6,7,8,14	G 2:7 12:22	Hui 12:4 13:18,21
e-mail 33:5,12,24	47:1,2,18 48:14	gather 22:5	14:7,18 31:3 32:1,2
36:2 39:18 42:22	49:7,13,19 52:19	gathering 20:18	32:12,16 33:6,15
49:15	53:15 54:1	gave 15:16	34:11,12,13 36:20
e-mails 28:24 29:4,10	Feitian's 5:15,19 6:7	generate 44:18	38:6,15 42:11,20,21
29:14 33:7,10,11,16	6:12 9:10 16:14,17	gets 29:17	43:7,8,10,12,18
34:2,5,14 35:16	16:21 17:4,9 18:7	girl 12:22	44:5,20 45:6,23
49:18	19:9,10,14,16,23	give 16:2 30:9 43:12	46:1,13 48:4,7 49:1
<hr/> F		43:24 51:4 54:11	49:3 52:17
F 55:1	20:11 21:18,19	given 43:16 44:5	Hui's 39:17
fact 34:13	23:21 24:17,21	go 19:4 46:17 47:8	hyphen 27:23
familiar 23:23 24:4	28:15,18 38:2,8	going 6:18 7:1 8:4 9:5	hypothetical 41:10
28:15	41:8 52:23	20:9 21:15 26:10,12	41:11
far 18:4 51:8 52:18	figure 46:24	39:15	H-U-I 13:24 14:22,23
fax 35:22,24 36:6,11	file 36:17,18,18 38:3	gotten 20:18	15:19
36:16 37:5 38:2,8	38:6,15,15 39:17,18	granted 21:12	H-U-Y-O-N-G 14:20
38:13 39:16,17	48:6	grounds 16:23	<hr/> I
49:15,18	files 38:10	guess 20:24 50:19	
faxes 36:1,2 39:15,19	finance 10:15	51:1 54:10	
feels 50:24 51:6	find 32:17,24 33:2,18	<hr/> H	
Feitian 1:8 4:15 5:16	33:19 48:13 49:12	H 3:12	
5:21 6:11 9:9,14	fine 7:21	hang 35:7	
10:10,16,19 11:7	finish 52:5	happen 40:18	
14:1,1,16 15:3,9	Finland 47:9,10	hard 9:3	
18:4,11,21 19:2	first 4:2,5 12:19 13:2	HARRISON 1:15 2:3	
21:10,16 22:10,14	13:11,24 23:1	HARVEY 1:15 2:3	
22:16 23:7,20 24:12	five 46:7	having 6:21 9:3 21:8	
24:16,20 25:8,9,13	folder 36:17 37:8	hear 10:2 11:1,22	
25:14,23 26:4,8,17	48:6	17:12 27:18 31:8	
26:18 27:12,16 28:2	folders 36:18,19	heard 28:1 29:3	
	follows 6:22		
	foregoing 55:4		

19:13,16,20,22 20:2 20:16,17 21:4 22:6 22:20 23:10 25:1,3 30:8,10 31:12 35:14 35:22 39:22 44:1,6 52:19 inquiries 29:1 41:2 inquiry 29:18,22 30:7 40:24 instruct 16:24 insure 8:3 intend 14:2 21:9 43:24 interject 46:18 53:6 international 34:21 35:3 38:5 39:4 41:13 53:18 54:4 interpreter 2:12 4:17 4:19,20 5:9,11 7:13 7:14 8:7,8 9:15,16 9:24,24 10:1,23,23 10:24 11:20,20,21 11:23,24 12:2,7,8,9 12:13,17,22 14:19 14:21 15:18 17:5,6 17:23 18:23 23:2,2 23:12,14,16 24:1,7 24:8 25:5 27:20 31:6 33:22,22 35:18 39:5,6 40:1,4 41:16 41:16 49:23 51:22 51:24 interrupt 50:8 introduce 4:7 investigate 51:17 investigation 52:23 invoice 44:18 45:10 45:17 46:11 47:21 48:6 invoices 44:21 45:3,7 45:12,15,18,20,21 45:22 46:2,8,14,16 46:19 47:12,15,18 47:19,24 48:7 49:10 49:11,15,18	issue 21:13 25:16 <hr/> J job 46:2 JP 2:8 judge 7:2 21:14 jurisdictional 5:14 26:5 jury 7:2 just 4:5 5:12 6:8 11:16 15:24 21:22 35:2,7 36:1 39:9 48:18,22 51:7 52:15 53:6,14,23 <hr/> K keep 12:1 22:10 28:24 35:7 38:21 39:12 45:9,14,16 46:2,10,10 47:6 keeps 4:3 45:22 47:2 kept 36:16 38:14,19 38:24 45:18,21 48:6 kind 48:13 49:12 kinds 7:22 49:20 KLEHR 1:15 2:3 know 4:5 7:8,9,9 9:22 17:11 18:4,7,9,11 18:12,14,15,20 20:14,21 24:9,11 26:7,15,22,23 27:6 27:9,14,17 28:6,8,9 28:11,13,14,16,17 30:8,14,19 32:8 33:17 34:9,12,15,18 36:11 39:15 42:18 42:19 43:17 45:1,6 46:22 47:9,10,11 50:24 53:1 Knowledge 1:4 4:10 known 23:23 24:4 <hr/> L L 1:13 55:2,22 language 28:15 last 12:4,18 13:2,10	13:24 30:12 31:13 35:3 46:9 law 7:6,23 least 45:16 46:11 50:1 left 31:19 42:4,15 legitimate 48:12 less 43:19 let 4:5 23:5 35:12 41:23 45:24 46:17 47:13,17 48:20 50:8 53:6 letters 18:1 27:23 let's 15:24 19:4 22:4 Li 1:7 3:4 4:24 5:6 6:21,24 7:13 9:8,15 10:1,24 11:21 12:1 12:9,12,24 13:17 14:3 15:11 17:3,5 17:14 18:24 22:10 22:23 23:5,7,12 24:7 26:15,21 31:7 34:24 35:12,18,21 38:12 39:5 41:11,17 43:18 47:17 49:23 50:13,17 52:2,17,22 LIDDELL 2:7 like 4:6 5:2,13 12:11 12:15 18:16,17 47:9 51:15 52:1 Limited 4:11 9:9 line 35:8 link 28:18 listen 11:4 15:15 Liu 12:3 13:8,15,18 13:21 14:7,18 15:16 31:1,3,4,10,11,12 31:15,19 32:1,2,9 32:12,16 33:12,15 34:3,4,11,14,19,20 36:20 37:8,9 38:3,6 38:15,15 39:17 42:4 42:11,15,20,21,22 42:23 43:7,8,10,18 48:4 49:1,4,5	live 22:13 LLP 2:7 located 4:23 5:4 22:18 24:13 28:4 29:11,15,18 35:15 38:3,9 40:18 location 45:18 LOCKE 2:7 long 10:7,16 32:2 36:23 37:9 47:5,11 49:24 50:4,5 longer 45:17 46:12 long-term 46:6 look 26:3 29:10,14 33:2,6,15,21 34:4 43:10,13,15 45:3 looked 25:22 36:11 46:22 47:1 LTD 1:4,8 Lu 2:12 4:20 L-I 13:2 L-I-U 12:18,19 13:10 13:11,24 14:20,21 14:23 15:19 <hr/> M made 29:6,21 39:23 41:7 44:13 maintain 39:22 49:8 maintained 48:1 49:3 49:13,19 maintains 48:14,15 48:18,23 49:9 make 21:14 22:16 23:7 25:9,14 41:14 42:5,5,16,24 53:4 man 34:19 manager 10:5,7,13 10:18,21 11:16 15:4 15:5,8,11,24 16:1,7 19:6,9 29:6,9,13 30:21 32:2 34:22 35:4 36:21,23 37:7 38:5,6 43:19 45:22 45:23 46:1 53:17
--	--	---	--

many 11:12	13:24,24 17:24	7:19 8:2,6,12,15,19	23:10 25:1 26:12
marked 3:13,15	27:21	9:13,17,22 10:3,16	28:20
market 30:4,6	necessarily 6:15	10:18 11:7,12 12:2	O'Laughlin 2:3 3:6
marketing 34:22 35:4	necessary 44:6	12:13,17 14:1 15:8	4:2,9,17,21 5:1,9,12
38:5 53:18 54:4	need 7:16,20 10:24	15:13,16,23 16:7,13	6:3,18,23 7:15,18
Mary 2:3 4:9 50:14	18:23 23:15 30:14	17:17,21 19:4 20:7	8:11 9:2,7,17,19
Matt 4:14 9:2	31:6 34:24 42:7,9	22:3 23:2 24:11	10:3,6 11:6,23 12:5
matter 5:13 43:11,13	42:20 49:24 52:22	26:7,15,23 27:6	12:11,14,21,23 13:4
43:16 55:7	needed 44:1	28:11,17 29:5,9,17	13:5,12,19,22 14:19
MATTHEW 2:7	needs 8:8 10:1 11:21	30:12 31:4,9,15	14:23 15:1,20,22
may 5:18 22:1 47:8	41:17 43:10 47:14	32:5,17 33:10 34:12	17:2,8 18:1,3 19:3
51:18	50:24	34:19,21 35:2,6	20:7,9 21:1,24 22:3
maybe 11:23 52:3	neither 24:13	36:5 37:2,5,9,12,20	22:9,22 23:4,14,19
ma'am 9:15,24 10:23	Never 14:3	37:23 39:7,12,15,21	24:3,10 25:7 26:14
11:20 15:18 17:5,23	next 50:6,11 51:10	40:17 41:6,18,23	26:20 27:22 28:23
18:23 24:1,7 25:5	52:6	42:3,15 43:4,8,12	31:9,14 34:1 35:6
27:20 31:6 33:22	Nobody 30:22 49:6	44:20 45:1,6,20,23	35:11,20 39:7,11
39:5 40:1 41:16	noise 4:3	46:5,16 52:13 53:3	40:3,7,12 41:18,22
50:23	Notary 1:14 55:3	53:11 54:8,13	46:21,24 47:16
mean 15:18 33:11	notes 55:6	one 11:14,16 14:15	48:11,19 49:2 50:1
46:23 51:12 53:19	nothing 7:11	16:5,6 38:9 50:20	50:5,16,21 51:2,12
Meaning 40:4	notice 9:13	52:15,16 53:14	51:20 52:14 53:11
memory 18:16	NUMBER 3:13	only 19:6,8 20:14	53:13,21 54:8,13
might 35:22 45:17	<hr/>		
46:11	O		
mind 14:3	O 55:1	P	P 2:1,1
minutes 35:1,7	oath 5:5 7:1,7 8:24	PA 2:4	PA 2:4
mispronouncing	object 5:21 16:22	PAGE 3:3,13	PAGE 3:3,13
53:23	23:9 24:24 26:10	paraphrase 39:6	paraphrase 39:6
missed 40:6	28:19	part 28:2	part 28:2
month 45:9	objected 5:16	participated 28:12	participated 28:12
months 45:12,15,16	objection 22:19 23:1	partners 22:17	partners 22:17
46:9,11	23:6 26:19 46:18	penalties 7:6	penalties 7:6
more 14:12 20:3	obtain 5:19 20:17	Pennsylvania 1:16,20	Pennsylvania 1:16,20
21:22 45:15 50:2	21:3 44:1,6	4:12	4:12
Morgan 2:8	October 30:16 32:6	people 11:12	people 11:12
most 45:11	33:1,4,8,20 34:6	people's 11:4 15:15	people's 11:4 15:15
move 9:1	36:8,14 38:9,14	period 53:4	period 53:4
much 34:24 52:22	42:24 44:3,8 45:4,7	person 11:11,14,17	person 11:11,14,17
<hr/>			
N			
N 2:1 3:1 55:1	offers 42:6,16 43:1	11:19 12:3,19 13:6	11:19 12:3,19 13:6
name 4:9,22 12:3,4	44:13	13:13,16 15:2,20,23	13:13,16 15:2,20,23
12:16,19,20,24 13:2	offices 1:14 4:11	29:19 30:2,6 31:20	29:19 30:2,6 31:20
13:3,7,11,11,13,16	okay 4:21 5:1,11 6:3	33:2,21 38:4 47:23	33:2,21 38:4 47:23
	6:13,18,24 7:5,15	53:16,24	53:16,24
		personal 8:2 32:22	personal 8:2 32:22

33:5,6,10,11,12,15 33:24 34:2,5 35:16 36:17,18,18 38:3,6 38:10,14,15 39:17 personally 17:14 person's 13:7 Philadelphia 1:16,20 2:4 4:12 5:3 phone 36:4 38:18,18 38:20,24 39:4,9,10 39:12 pings 9:4 place 41:24 places 46:19 47:9 Plaintiff 2:5 4:10 Plaintiffs 1:6 Plaza 1:20 please 11:24 20:4 22:23 23:1 position 6:6 10:12,19 15:2 31:11 postpone 52:3 predate 37:6 preliminary 5:13 prepare 14:4 15:14 15:17 16:8 19:5,12 prepared 44:21 presence 5:7 present 38:9,14 44:8 45:4,8 previous 42:22 previously 31:1 prior 41:12 privilege 16:23 problems 4:4 PROCEEDINGS 4:1 produce 20:10,19 produced 21:16 26:4 26:9 product 22:14 29:22 40:19 41:8 44:17 products 22:17 23:21 24:16,21 25:9,15 26:18 27:12 29:1 44:22 46:6	Professional 1:14 55:3 programs 16:12 promise 8:3 provide 42:5,16 43:1 provided 44:14 providing 5:16 public 1:14 39:9 55:3 punished 7:21 punishment 7:22 purchase 46:6 purchases 44:22 47:19 pursuant 25:14 push 51:7,14 pushes 53:5 put 6:8,15 p.m 1:17 54:16	recent 45:11 recess 35:9 recollection 37:2 reconvene 51:7,15 53:1 54:9 record 6:9 45:9 records 22:10 32:18 33:1,20 36:6,11,16 37:5 38:3,8,13,18 38:19,20,21,24 39:21 40:14 46:8 47:2,6,8 48:14,15 48:23 49:7,9,13,19 49:21 recovery 5:14 Reeves 2:7 4:14,14 5:8 6:1,2,14 8:22 9:5 16:22 20:7,8,13 21:1,21 22:1,4,19 22:24 23:9 24:24 26:10,19 28:19 46:17,22,23 47:4 48:11,17,20 50:8,19 50:23 51:9,18,21,23 52:1,13 53:6,12,20 54:10,12 refer 49:10 referring 17:21 refresh 37:2 refuse 41:24 regarding 41:20 related 20:20 relationship 24:11 relevant 14:5,10 religion 8:10 remember 14:13 19:1 37:11,19 repeat 7:14 9:16 17:6 17:23 23:13 24:1,8 25:5 33:23 41:17 repercussions 8:16 replace 14:2 replaced 14:1 report 11:12 15:15 20:6 29:3,5,6	reported 9:21 16:1 reporter 1:14 4:13 5:3,5,7 6:19 9:3 12:16 13:1 17:12 40:7,9 55:3,13 REPORTERS 1:19 reports 11:4,17,19 13:17 43:22 represent 4:10,14 representatives 27:15 reproduction 55:11 request 34:14 requested 5:14 40:10 reservation 6:17 respond 13:19 29:19 29:21 30:7 40:24 41:2 response 26:5 29:20 34:14 responsibility 43:17 responsible 48:7 rest 34:23 review 15:13 44:21 45:7 51:4 reviewed 34:13 36:5 39:16 52:7,17 revised 9:13 RF 23:23 24:4,5,20 25:8,9,13,14,16,23 26:8,11,11,16,17,17 27:2,10,14,15 right 6:10 20:19 21:12 22:2 27:4 54:8 RS 21:16 RSA 17:22 18:1,8 20:22 21:22 27:15 28:12 rule 45:16 R-S-A 18:1	
	quit 11:11 13:7,14	refer 49:10 referring 17:21 refresh 37:2 refuse 41:24 regarding 41:20 related 20:20 relationship 24:11 relevant 14:5,10 religion 8:10 remember 14:13 19:1 37:11,19 repeat 7:14 9:16 17:6 17:23 23:13 24:1,8 25:5 33:23 41:17 repercussions 8:16 replace 14:2 replaced 14:1 report 11:12 15:15 20:6 29:3,5,6	R R 2:1 55:1 Rachel 34:17 raised 21:13 read 40:8,9 really 53:5,23 reappear 52:4 recall 6:10 receives 28:24	S S 2:1 3:12 sale 43:1 44:13,18 sales 10:5,8,14,21,22

11:3,4,8,13,16,17 13:6,14 15:4,5,8,11 15:24 16:1,7 19:6,9 22:11,16 23:7 25:9 25:14 26:9,12 29:6 29:9,13 30:3,6,13 30:21 32:2 34:21 35:4,15 36:21,23 37:6 38:5,6 39:23 41:14,14 42:5,6,16 42:16 43:1,18 44:13 45:22,23 46:1,8,13 46:14,16 47:8,10,18 47:24 48:8,16,23 49:8,14,20 53:18 54:4 salesperson 30:3 41:5 same 25:19 26:19 42:12,13 SAPP 2:7 saying 7:10 50:14 scheduled 21:5 scope 26:12 28:20 Security 23:24 24:5 see 20:23 22:4,6 29:10,14 44:21 seeks 23:10 25:1,2 seems 18:16,17 37:13 50:17 seen 9:13 segregate 47:18 selected 9:22 15:6 sell 22:16 24:21 26:18 27:2,10,12 sells 44:17 September 51:13 service 41:8 services 39:23 42:5 42:17 43:1 44:14 set 50:10 several 50:6,11 shorter 53:4 show 32:19 since 21:7 30:16 31:19 32:4,6 33:1,3	33:8,20 34:6 36:8 36:14 37:4 41:6 42:3 44:3,8 49:20 51:3 site 28:15,18,18 situation 41:20 42:9 Software 27:19,24 some 17:7 50:23 52:5 someone 9:21 29:18 30:13 32:23 33:18 35:16 41:13 sometimes 45:17 46:11 sorry 23:12 53:22 South 1:19 2:4 specific 14:12 30:2,3 30:5 39:9 41:4 specifically 11:3 21:13 30:20 31:15 32:9 spell 12:6,8,9,12,16 12:24 13:9,23 start 4:2 5:1 started 37:7 state 4:7,18,22 5:13 9:11,11 21:18,19 26:23,24 27:3,7 29:22 30:7,23 33:8 39:24,24 40:4 42:6 44:8 states 1:1 8:1 10:22 11:3,5,8 22:11,18 23:8 24:18,22 25:15 25:20 26:18,24 27:3 27:7,11 28:5 29:2 36:8,13 39:19 41:15 47:19 stenographic 55:5 steps 40:19,20 41:9 still 22:5 49:24 53:15 54:1,3 Street 1:19 2:4 strike 14:2 37:24 sufficient 21:3 suggesting 50:17,17	Suite 1:20 superior 15:8,10,11 supervision 55:12 sure 4:19 12:2,13,17 21:14 23:16 32:22 38:17 39:20 43:3 47:21 53:9 swear 6:19 sworn 6:21 system 8:2 Systems 1:4 4:11	T T 3:12 55:1,1 take 20:13 34:23 35:6 38:11 40:20,20 47:20 54:13 taken 1:13 35:10 41:9 55:6 taking 6:9 talk 19:6 48:20 54:10 talked 19:8 talking 29:6 47:6,11 Tech 27:23 Technologies 1:8 9:9 technology 18:9 Telephone 2:10,12 TELEPHONIC 1:12 tell 4:22 7:11,17,20 7:23 8:4,4,13,16,23 15:5 40:17 45:20 51:16 52:1 telling 7:6 8:20 38:2 tells 30:22 ten 35:1,6 territory 26:9 testified 6:22 20:21 22:8 testify 7:7,12 14:16 testifying 7:1,3 46:3 testimony 16:9 35:13 36:3 38:10,16 40:10 41:12,19 42:3 46:5 Texas 4:16 Thank 13:4 54:9	their 32:22 themselves 4:7 thing 4:6 19:6 things 48:9 49:11 52:9 53:5 think 8:15,19 47:4,14 48:12 52:22 though 43:18 52:15 thought 15:21 three 45:9,11,15,16 46:9,11 51:10 52:6 53:2 through 22:17 23:8 time 3:15 9:3 11:15 16:19 20:6 21:3 30:12 34:24 35:9 40:9 41:6 43:10 50:4,11,23 51:4,11 51:16 52:5,6,10,22 53:4 54:11 times 8:24 title 34:21 35:3 today 7:1,12,23 8:13 8:17 9:23 16:9 51:6 today's 15:17 16:2 Tokens 23:24 24:6 told 8:23 14:13,15 21:2 48:3,5 52:18 tonight 21:6 Tower 2:8 transaction 40:21 41:9 transcript 1:12 55:5 55:11 translate 5:10 22:24 23:3,5,6 34:16 48:21 translator 48:21 50:13 51:18,21 53:8 Travis 2:8 tried 20:17 true 11:15 55:4 truth 7:6,11,11,17,20 7:23 8:4,4,13,16,20 8:23
---	---	---	--	--

try 41:7 48:13 53:3,4	W	13:2,10,21 14:16,24	Zhao 53:14
trying 22:5 46:24	waiving 6:6,10	15:6 16:24 17:7	Z-H-A-O 53:22
49:11	want 4:3 12:7,9 40:18	18:2 19:1 20:10	0
two 10:9 25:20 28:4	49:12 50:12 51:7,14	21:15 23:17 24:9	05-149 1:2
38:10 48:9 51:10	51:15	28:22 31:10 33:24	1
52:9 53:7,12 54:9	wanted 6:8 32:17,23	39:8 40:11 41:19	11:55 54:16
TX 2:9	32:24 33:18,19	49:1 50:3 52:12	1520 1:20
<hr/>			
U			
under 7:1,6,7,19,23	wants 50:9,21	woman 34:19,20	17th 1:19
8:24 20:13 55:12	wasn't 21:3	word 52:3	19103 1:20 2:4
understand 6:14,16	way 45:24	work 10:10 37:10,12	1999 30:16 32:6 33:1
6:24 7:5,19 9:5	web 28:15,18,18	37:14,16,18,20	33:4,8,20 34:7 36:8
17:18 25:17,17	Wednesday 1:16	worked 10:16 35:16	36:14 37:12 38:9,14
35:12 47:4 50:19	weeks 50:6,11 51:10	36:23 37:23,24	41:6 42:24 44:3,8
understanding 7:10	51:10 52:6 53:2,7	42:23	45:4,7 49:20
7:21	53:12 54:9	working 37:7	2
understands 5:21	Wei 1:7 3:4 4:24 6:21	W-E-I 13:3	2000 37:14
United 1:1,20 7:24	well 5:20 7:10,16,19	W-E-N-W-A-N-G	2001 37:16
10:22 11:3,5,8	8:20 11:11 12:18	53:22	2002 37:18
22:11,18 23:7 24:18	13:16 14:2,13 18:11	X	2004 37:20,21
24:22 25:15 26:18	18:16 19:1 20:5,13	X 3:1,12	2005 1:17
26:24 27:3,7,11	21:1,21,24 22:10	Y	2006 19:2
29:1 41:15 47:19	25:11,19 29:3 31:1	Yan 2:12 4:20	260 2:4
unless 43:16 46:22	31:3 35:22 36:2	Yeah 51:2,12 53:9	294304 2:12
55:11	39:3,8 41:12,19	year 18:13,15,18	3
use 51:18 52:3	43:10,15 45:24	31:13,20 32:4 35:17	30 1:16,19
used 24:17	46:10,21,23 47:20	37:4,6 43:19	3400 2:8
usual 47:3 49:13	47:23 48:9 49:7	years 10:9,17 18:11	6
U.S 5:15,23 6:8,13	50:3,8,16	18:21 46:7	6 3:6
7:6,23 11:13,17	Wenwang 53:15,20	yesterday 20:15	600 2:8
13:7,14 28:3,7,8,10	were 3:15 5:6 7:2	Yuhong 13:8,15	7
30:3,6,13 47:12,24	9:22 10:14,18 15:5	15:16 31:1,4,10,11	77002-3095 2:9
48:8,16,24 49:8,14	16:20 26:4 27:2	31:12,15,19 32:9	9
49:20	29:10,14 36:12	33:12 34:3,14,16,19	9:00 1:17
<hr/>			
V			
version 34:17	we'll 20:19,23 35:6,7	34:20 37:8,10,23,24	
very 7:24 10:2 11:1	54:9	38:4,15 42:4,15,22	
11:22 31:8	we're 47:5	42:23 49:4,5	
Via 2:10,12	we've 20:22	Yuhong's 33:15 34:4	
vice 10:4,7,13,18,21	while 50:12	35:3 39:17	
11:16	whole 6:8,13	Y-U-H-O-N-G 12:20	
Virginia 4:20	witness 3:3 4:22,24	13:10,11	
voice 12:1	5:3,6,6 6:4,5,11,20	Y-U-H-O-N-T 12:21	
vs 1:7	7:16 8:9 9:18,23	Z	